

Issued July 26, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2469.

(Given pursuant to section 4 of the Food and Drugs Act.)

U. S. v. Spielman Bros. Co. Plea of guilty. Fine, \$100 and costs.

ADULTERATION AND MISBRANDING OF VINEGAR.

On January 26, 1911, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Spielman Bros. Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on July 13, 1910, from the State of Illinois into the State of Iowa, of a quantity of vinegar which was adulterated and misbranded. The product was labeled: "John T. Hancock Company. Faultless Pure Cider Vinegar. 48 Gals., Dubuque, Iowa. Guaranteed cider vinegar; 4½ per centum; the Spielman Bros. Company Mfg. 361."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results:

Solids (grams per cc)	1. 77
Ash (grams per cc) 40
Reducing sugars (grams per cc) 72
Non-sugar solids (grams per cc)	1. 05
Pentosans (grams per cc) 11
Alcoholic precipitate (grams per cc) 14
Total acidity as acetic (grams per cc)	4. 62
Volatile acidity as acetic (grams per cc)	4. 61
Fixed acidity as malic (grams per cc) 01
Alkalinity of soluble ash (cc N/10 HCl per 100 cc)	42. 0
Soluble P ₂ O ₅ (milligrams per 100 cc)	17. 4
Insoluble P ₂ O ₅ (milligrams per 100 cc)	10. 3
Polarization (200 millimeter tube) (°V)	—1. 1
Color removed by fuller's earth (per cent)	54. 0
Sugar in total solids (per cent)	40. 67
Brewer's scale reading (½-inch cell)	4. 0
Lead acetate precipitate, medium, flocculent.	
Ratio of ash to non-sugar solids	1 : 2. 7

Adulteration of the product was alleged in the information for the reason that it consisted mainly of a dilute solution of acetic acid, or distilled vinegar, mixed with ash material in imitation of genuine cider vinegar, and further, in that an article known as dilute solution of acetic acid, or distilled vinegar and ash material, had been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality and strength, and further, in that a solution of acetic acid and distilled vinegar and ash material had been substituted in part for the article. Misbranding was alleged for the reason that the product was an imitation of another article, to wit, pure cider vinegar, and further, that the product was labeled so as to deceive and mislead purchasers thereof in that each of the barrels was labeled as aforesaid, which said inscription tended to mislead and deceive purchasers of the product into the belief that it was a pure apple cider vinegar, whereas, in truth and in fact, it was not a pure apple cider vinegar, but was an imitation thereof prepared with acetic acid or distilled vinegar and ash material in imitation of genuine apple cider vinegar.

On February 21, 1913, the defendant company withdrew its former plea of not guilty and entered a plea of guilty and the court imposed a fine of \$100 and costs.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *May 28, 1913.*